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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 MINT LOCKER, LLC, a Nevada Limited
9 Liability Company,

10 Plaintiffs,

11 v.

12 SENTINEL INSURANCE COMPANY, LTD,
13 a Connecticut business entity; DOES 1-10,
business entities, forms unknown; DOES 11-20,
14 individuals; and DOES 21-30, inclusive,

15 Defendants.

Case No. 2:21-cv-00082-GMN-NJK

**ORDER TO
EXTEND DISCOVERY AND
DISPOSITIVE MOTION
DEADLINES (FIRST REQUEST)**

16 The parties, by and through their respective counsel of record, hereby stipulate and agree
17 as follows:

- 18 1. On March 1, 2021, the Court entered an Order granting the Stipulated Discovery
19 Plan and Scheduling Order submitted by the parties. ECF No. 11.
- 20 2. This is the first request by the parties to extend the discovery deadlines as set forth
21 in the March 1, 2021 Order. ECF No. 11.
- 22 3. The parties stipulate and agree to extend the discovery and expert disclosure
23 deadlines for ninety (90) days to allow the parties to coordinate multiple schedules and
24 conduct necessary depositions in order to fully evaluate the claims and defenses presented.

25 **STATEMENT OF DISCOVERY THAT HAS BEEN COMPLETED**

- 26 1. On March 1, 2021, Plaintiff served their initial disclosures.
- 27 2. On March 1, 2021, Defendant served its initial disclosures.
- 28 3. On June 18, 2021, Defendant served the following discovery requests:
- a. Defendant's First Set of Request for Production of Documents to Plaintiff.

1 Plaintiff is scheduled to serve responses to Defendant's First Set of Requests for Production
2 of Documents on or before July 21, 2021.

3 4. On June 22, 2021, Plaintiff served the following discovery requests:

4 a. Plaintiff's First Set of Interrogatories to Defendant; and

5 b. Plaintiff's Set of Requests for Production of Documents to Defendant.

6 Defendant's responses to Plaintiff's First Set of Interrogatories and First Set of Request for
7 Production on or before July 22, 2021, which is after the current July 21, 2021 percipient discovery
8 cutoff.

9 **STATEMENT OF DISCOVERY THAT REMAINS TO BE COMPLETED**

10 1. The deposition of Lauren Luckey, the principal of Mint Locker – set for July 8,
11 2021.;

12 2. The deposition of Dimitri Dalacas, the corporate designee for the third-party
13 property owner, set for July 16, 2021;

14 3. The deposition of Defendant Sentinel Insurance Company, Ltd's corporate
15 designee, not yet set;

16 4. The possible depositions of other third-party witnesses named in the parties'
17 disclosures;

18 5. The parties' disclosures of expert witnesses (if any), and their depositions. Initial
19 disclosures of experts are presently due August 20, 2021 (initial), September 17, 2021 (rebuttal),
20 with expert discovery closing October 15, 2021.

21 **BASIS FOR EXTENSION OF DISCOVERY DATES**

22 This is the first stipulation and request of the Parties to extend time in relation to the
23 discovery dates in this matter. This request is made more than 21 days prior to the discovery cut-
24 off date. Where that is the case, the Parties must show good cause for the request for extension.
25 LR IA 6-1 and LR 26-3. "Good cause generally is established when it is shown that the
26 circumstances causing the failure to act are beyond the individual's control." *Moseley v. Eighth*
27 *Judicial Dist. Ct. of Nev.*, 124 Nev. 654, 188 P.3d 1136, fn 66 (2008) (internal citations omitted).

28 Here, there is good cause for the extension request because the Parties have worked

1 diligently to complete discovery within the time-period set in the scheduling order. The Parties
2 have made disclosures with Plaintiff disclosing approximately 700 pages of documents and
3 Defendant disclosing approximately 3,200 pages of documents. The parties have reviewed
4 disclosures and have sent written discovery.

5 The completion of percipient discovery has been hindered by difficulty in setting
6 depositions – lead counsel for both parties have worked diligently and cooperatively to set
7 depositions consistent with the civility expectations set forth in LR 1-1(c), but between the
8 attorneys and the witnesses, there have been significant calendar conflicts which have made
9 scheduling more difficult and have slowed the discovery process.

10 Therefore, the Parties have good cause for the request for an extension of time to
11 complete discovery.

12 **PROPOSED SCHEDULE**

13 The parties stipulate and agree that:

14 1. **Fact Discovery:** The discovery period shall be extended ninety (90) days from July 21,
15 2021 to October 19, 2021

16 2. **Expert Disclosures:** The deadline to disclose experts shall be extended up to and
17 including, November 18, 2021, which is ninety (90) days before the proposed discovery deadline.
18 Disclosure of rebuttal experts will be due December 16, 2021, which is thirty (30) days after Initial
19 expert disclosures. Expert discovery will conclude February 4, 2022 (this date is greater than 30
20 days after rebuttal disclosures due to the difficulty in setting depositions between December 16 and
21 January 3, and due to a conflicting January 10, 2022 trial for Sentinel's lead counsel.

22 3. **Dispositive Motions:** The parties shall have through and including March 7, 2022, to file
23 dispositive motions, which is 30 days after the discovery deadline.

24 4. **Pre-Trial Order:** If no dispositive motions are filed, the Joint Pretrial Order shall be filed
25 ~~thirty (30) days after the date set for the filing of dispositive motions.~~ **April 6, 2022** In the event dispositive
26 motions are filed, the date for filing the Joint Pretrial Order shall be suspended until thirty (30) days
27 after decision on the dispositive motions or by further order of the Court.

28 5. **Extensions or Modifications of the Discovery Plan and Scheduling Order:** In

1 accordance with Local Rule ~~26-4~~, a stipulation or motion for modification or extension of this
2 discovery plan and scheduling order and any deadline contained herein, must be made not later than
3 twenty-one (21) days before the subject deadline.

4 This stipulation and order is sought in good faith and not for the purpose of delay.

5 Respectfully submitted this 22nd day of June, 2021.

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8 HUTCHINGS LAW GROUP, LLC

BULLIVANT HOUSER BAILEY PC

9 /s/ Mark H. Hutchings

/s/ Andrew B. Downs

10 Mark H. Hutchings, Bar No. 12783
11 552 E. Charleston Blvd.
Las Vegas, NV 89104

Andrew B. Downs, Bar No. 8052
101 Montgomery Street, Suite 2600
San Francisco, CA 94104

12 *Attorneys for Plaintiff*

Attorneys for Defendant

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15 **ORDER**

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17 IT IS SO ORDERED June 23, 2021.

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21 United States Magistrate Judge
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